



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,244	05/10/2001	Gordon Good	033048-058	4076

21839 7590 01/30/2006

BUCHANAN INGERSOLL PC
(INCLUDING BURNS, DOANE, SWECKER & MATHIS)
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER

CALLAHAN, PAUL E

ART UNIT

PAPER NUMBER

2137

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,244

Applicant(s)

GOOD

Examiner

Paul Callahan

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (~~PTO-1449 or PTO/SB/08~~)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/05 has been entered.
2. Claims 1-36 are now pending and have been examined.

Response to Arguments

3. Applicant's arguments filed 1-28-2005 have been fully considered but they are not persuasive.

The applicant argues that the claimed invention in claims 1 and 8 may be distinguished from the teachings of Rothermel '827 because the reference does not teach the features of expansion of a template "at a central location." Yet a careful reading of Rothermel shows that such is indeed taught at the passages cited, most particularly in col. 5 lines 1-10.

The applicant argues that Rothermel fails to teach the feature of claim 31 of a conditional statement in a template. Yet such statements are indeed taught at fig. 3H

where such statements as "allow only safe content types" is taught. A "listing of users" as claimed in claim 31 is found for example, in fig. 3B. Conditional statements are also found in the cited passage (col. 4 lines 30-62, col. 5 lines 60-67).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-36 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Rothermel et al., US 6,678,827.

As for claim 1, Rothermel teaches a method for automatically provisioning a plurality of computing devices in accordance with established policies, the method comprising the steps of: creating a plurality of templates reflecting said policies, expanding at least one template at a central location, and providing the expanded information to said plurality of computing devices (col.4 line 49 thru col.5 line 13).

As for claim 2, Rothermel teaches interpreting the expanded information by agents which are respectively resident on each of said plurality of computing devices (col.5 lines 32-35).

As for claims 3 and 9, Rothermel teaches the structure of said plurality of templates includes conditional statements that determine whether a template is to be expanded with predetermined information on the basis of the computing device to which the expanded information is being provided (col.4 lines 30-62., col.5 lines 60-67).

As for claims 4 and 10, Rothermel teaches the plurality of templates includes a first category of templates that reflect policies applicable to all of the plurality of computing devices (col.6 lines 20-32).

As for claims 5 and 11, Rothermel teaches at the plurality of templates includes a second category of templates that reflect policies applicable to only a subset of the plurality of computing devices (col.6 lines 20-32).

As for claims 6 and 12, Rothermel teaches the plurality of templates includes another category of templates that reflect policies only applicable to a particular type of the plurality of computing devices (col.6 lines 20-32).

As for claims 7 and 13, Rothermel teaches the method of claim 1, wherein said policies are security policies regarding user access to each of the plurality of computing devices. (col. 11 lines 1-45)

As for claim 8, Rothermel teaches a system for automatically provisioning a plurality of computing devices in accordance with established policies, the system comprising: a database system which stores a plurality of templates which reflect said policies (col.6 lines 56-60), a plurality of agents which are respectively resident on each of said plurality of computing devices, and which communicate with said database system to obtain information with regard to provisioning and maintenance of the respective computing devices, and a communications gateway through which communication messages are exchanged between said agents and said database system, wherein said communications gateway is configured to: retrieve the individual ones of the plurality of templates, expand the plurality of retrieved templates to create respective documents containing combined template information and expanded information, and provided the documents containing the combined template information and expanded information to said plurality of agents (col.4 line 49 thru

As for claim 14, Rothermel teaches the system of claim 8, wherein at least one template includes a reference to information external to the template, and wherein said communication gateway expands the template by creating a document that includes information contained in the template and said external information. (fig. 3B items 30, 311, 316).

As for claims 15 and 19, Rothermel teaches the system of claim 14 wherein said document is an XML document (col. 5 lines 5-7).

As for claim 16, Rothermel teaches the system of claim 14 wherein said external information comprises a list of users (col. 11 lines 18-30).

As for claim 17, Rothermel teaches the system of claim 9 wherein said communications gateway expands a template to include information contained in a conditional statement only if the computing device to which said expanded information is to be provided meets the condition (col. 11 lines 35-40).

As for claim 18, Rothermel teaches the method of claim 1, wherein at least one template includes a reference to information external to the template, and wherein said expanding step comprises creating a document that includes information contained in the template and said external information (col. 11 lines 18-30).

As for claim 20, Rothermel teaches the method of claim 18, wherein said external information comprises a list of users (col. 11 lines 18-30).

As for claim 21, Rothermel teaches the method of claim 3, wherein said expanding step includes the step of including information contained in a conditional statement only if the computing device to which said expanded information is to be provided meets the condition (col. 11 lines 18-30).

Art Unit: 2137

As for claims 22-36, the claims are directed to the same method as found in claims 1-21 in slightly reworded form. Therefore these claims are rejected on the same basis as are claims 1-21.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is: (571) 273-8300.

1-21-06

Paul Callahan

Gilberto Barron Jr.
GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100